IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

Writ Petition No.2247 of 2005

Anjumunnisa A Sattar Deshmukh ..Petitioner
vs
The Edn Officer (Secondary)
Zilla Parishad Solapur and ors..Respondents

Mr I M Khairdi for petitiner

Mr C.R.Sonawane AGP for respondents

CORAM: A.P.SHAH & S.J.VAZIFDAR JJ.

Dated 5.7.2005

P.C:

. Rule. Mr. C.R.Sonawane, learned AGP for respondent nos. l and 2 waives service. Respondent nos. 3 and 4 are absent despite service. By consent, Rule is made returnable forthwith.

2. The petitioner was appointed as part time Shikshan Sevak in respondent no. 3 school on l.2.200l. The grievance of the petitioner is that even after repeated requests and representations the respondent no.l has not accorded sanction to the appointment of the petitioner. Consequently the salary of the petitioner is not paid till date. It appears that the management had issued several letters requesting the respondent no.l to grant

approval to the appointment of the petitioner. The Dy Director of Education Pune Region Pune also directed respondent no.l to look into the request of the management. The respondent no.l however, vide his letter dated l6.7.2004 expressed his inability to grant approval due to alleged interse disputes between the members of the managing Committee.

3. We have perused the affidavit filed on behalf of the respondents.It is not disputed that all other members of the staff have been accorded approval inspite of the alleged internal dispute between the members of the management. The Education Officer is therefore not justified in withholding approval only to the appointment of the petitioner. It is not disputed that the petitioner is qualified for the appointment of part time Shikshan Sevak. He has been working continuously from l.2.200l. We therefore direct the respondents to forthwith grant approval to the appointment of the petitioner and release his salary from the date of his appointment within 3 months from today. Rule is made absolute accordingly with no order as to costs.